IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 99 OF 2000.

K. V. Menon. ..Plaintiff.

VERSUS.

M/s. Modern Rubber Machinery
Manufacturers, (Purna) Pvt. Ltd. ..Defendants.

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Mr. Yogeshwar S. Bhate Advocate for the plaintiffs.

None for the defendants.

Coram: V.M.KANADE, J.
Date: August 24, 2004.

P.C.

1. Heard the learned counsel appearing on behalf of the plaintiff. None appears on behalf of the defendant.

2. The plaint was served on the defendants and Advocate Shri. Ketan R. Parekh filed vakalatnama on behalf of the defendant. Thereafter the summons for judgment was taken out which was also served on the defendant on 19th March 2003. No reply has been filed by the defendants.

3. The plaintiff has filed the original documents which are marked as Exhibit- A-collectively. In view of

the non filing of the application for leave to defend, the summons for judgment is made absolute. The suit is decreed as per the provisions of Order-XXXVII, Rule-3 of the code of Civil Procedure in terms of prayer clause (a). However, the rate of interest is reduced to 18% p.a. from 24% p.a. as claimed in the prayer clause. In view of the suit being decreed the summons for judgment is disposed off. The plaintiff will be entitled to the refund of court fees as permissible under the rules.

(V.M.KANADE,J.)

/2004/